

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) CHAPTER 11
) (Jointly Administered)
W.R. GRACE & CO., *et al.*,)
) Case No. 01-01139 (JKF)
Debtors.)
) Re: Docket No. 23724

**RESPONSE TO DEBTORS' MOTION
AND MEMORANDUM FOR AN ORDER
PURSUANT TO F.R.B.P. 7056 DISALLOWING AND EXPUNGING
TWO TIME-BARRED CANADIAN ASBESTOS PROPERTY DAMAGE CLAIMS**

City of Vancouver (Claim No. 12476) and 68 Nanaimo-Ladysmith School District (Claim No. 11627) hereby respond to Debtors' Motion and Memorandum for an Order Pursuant to F.R.B.P. 7056 Disallowing and Expunging Two Time-Barred Canadian Asbestos Property Damage Claims [the "Motion"] as follows:

The Motion is untimely. Over three years ago, the Court required the Debtors to file Motions for Summary Judgment by February 16, 2007 [Doc. 13406]. The Debtors timely filed their Motion for Summary Judgment as to 88 Canadian Claimants [Doc. 14597], but for unexplained reasons, they did not file a Motion for Summary Judgment as to these two claims. If the Debtors want to file a late Motion for Summary Judgment, it is incumbent upon them to seek relief from this Court's scheduling Order. Respondents respectfully request protection from filing any response on the merits unless and until the Debtors obtain permission to file a Motion for Summary Judgment at this late date.

DATED: November 25, 2009



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